

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 4 D.C.
05 DEC 20 AM 11:08

HUBERT RAY MATTHEWS, SR.,)
as Power of Attorney of Hubert Ray)
Matthews, Jr., an incapacitated person,)

Plaintiff,)

vs.)

NO.: 05-1091-T-An


KINDRED HEALTHCARE, INC., et al.,)

Defendants.)

ORDER DENYING MOTION TO AMEND AND SUPPLEMENT COMPLAINT

Before the Court is Plaintiff's Motion to Amend and Supplement Complaint filed on December 15, 2005.

On December 7, 2005 United States District Judge James D. Todd entered an Order Granting Plaintiff's Motion to Remand pending a ruling on the attorney fee issue and the order to show cause. As such, the Motion to Amend and Supplement Complaint is **DENIED** as moot and without prejudice to re-filing in state court.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: December 19, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 47 in case 1:05-CV-01091 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT